

## REMARKS

Claims 1-7 and 9-18, as amended, remain pending herein, and claims 19-20 have been added.

Support for the amendments to claim 1 is found at page 9, lines 4-6, and Fig. 4, showing through hole 32, and Fig. 7, showing pin 4; also, at page 8, lines 29-33, discussing a leading edge and a lower edge of end piece 3, Figs. 4 and 7. Certain subject matter of original claim 2 was also added as the last paragraph of claim 1.

Support for the amendments to claim 2 is found at page 11, lines 19-25 and shown in Fig. 9.

Support for the amendments to claim 3 is found at page 13, lines 2-5 and shown in Fig. 12.

Claim 8 has been canceled without prejudice or disclaimer.

Support for claim 19 is found at page 8 lines 29-33.

Support for claim 20 is found at page 5, lines 21-23 and because a person of ordinary skill in the art would understand from the specification that inverting the positions and elements of articulation between the end of the temple and the end of the front-piece does not change the basic operation of the claimed invention.

At the outset, Applicant notes with appreciation the indication in the Office Action that claims 2-4, 12, 13 and 15 recite allowable subject matter.

### I. Claim Rejections

(a) Claims 16 stands rejected under 35 U.S.C. § 112, first paragraph.

(b) Claims 1, 5-8, 14, 17 and 18 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Drlik (U.S. 4,747,183).

(c) Claims 1, 5-8, 14, 17 and 18 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Lo (U.S. 6,353,965).

(d) Claims 9-11 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious in view of Drlik.

(e) Claims 9-11 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious in view of Lo.

## II. Traversal

(a) The Office Action asserts there is no support for the recitation in claim 16 that the "hook element is insertable with play into said seating to allow a pre-determined vertical movement of the temples, and also a pantoscopic adjustment, by means of a prior conformation of said endpiece 3".

However, Applicant respectfully submits the specification at page 10, lines 25-31 discloses "adequate play between the fins 31 and the hook element 1" can "provide a suitable oscillation or orthogonal opening, and also, with a suitable inclination of the leading face of the endpiece 3, we allow a desired pantoscopic inclination of the frame F on the Temples A, in conformity with other purposes specified above." In addition, the specification at page 4, lines 21-27, states the "hinge, which together with the possibility of a normal elastic horizontal opening of the temples, also allows an adjustable orthogonal, and also partly rotational, opening of the temples, also in the event of knocks or strains; also to make possible a determinate pantoscopic adjustment of the frame."

With regard to the above-quoted portions of the specification, Applicant respectfully submits an orthogonal or right angle opening (*i.e.* movement) relative to a horizontal opening (*i.e.* movement) can include a vertical movement. Thus, claim 16 is supported by the specification and enabling to a person of ordinary skill in the art.

Reconsideration and withdrawal of this ground of rejection is respectfully requested.

(b)-(c) Claim 1 has been amended to include a recitation that the male hinging element is pivoted to the corresponding female element by means of a pin 4 inserted into the end piece 3 through a through hole 32 made in the end piece 3 (Figs. 4 and 7). Moreover, claim 1 has been amended to recite the allowable subject matter of claim 2, in that the male hinging element is defined by two tie-rods disposed co-planar and substantially parallel to each other inside the relative temple. For at least this reason, Applicant respectfully submits claim 1 is allowable, and claims 2-7 and 9-20 all depend from claim 1 directly, or through an intervening claim. Accordingly, all of the pending claims are allowable and render moot all art-based grounds of rejection in the Office Action.

There is also an independent basis for dependent claims 2, 3 and 4. For example, claim 2 recites the two-tie rods are housed inside relative seatings distinct from each other, claim 3 recites a single common seating for the two tie-rods, and claim 4 recites that the two-tie rods pivot on a single pin.

III. Conclusion

In view of the above, it is respectfully submitted that all grounds of objection and rejection are overcome. Thus, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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